

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

E. REMY MARTIN & CO.,	:	x
	:	
	:	
Plaintiffs	:	
-v-	:	<u>ORDER FOR MARKMAN</u>
SIRE SPIRITS LLC, ET AL.,	:	<u>HEARING</u>
	:	21 Civ. 6838 (AKH)
	:	
Defendants.	:	
	:	
	:	
	x	

ALVIN K. HELLERSTEIN, U.S.D.J.:

A Markman Hearing (*Markman v. Westview Instr., Inc.* 517 U.S. 370 (1998)) will be held on June 2, 2022 at 2:30 p.m., before any discovery takes place. The parties will present to me five days prior to the conference a four-column table: phrases requiring construction in the opinion of any of the parties; the proposed constructions by plaintiff; the proposed constructions by defendants; and a blank column for the Court's rulings. The defendants will cooperate to formulate a single proposed defendants' construction. If the defendants differ, the defendants may propose particular versions. The Court will then decide the proper construction of each phrase and, after that, discuss the discovery program for the parties, or set a date for such discussions. Until the Claims construction order, there will be no discovery, except for Initial Disclosures required by Rule 26(a), Fed.R.Civ.P. The Initial Disclosures shall be made by

May 10, 2022. The parties will agree to a schedule that will allow them to complete the table timely, and submit the same to be approved by the Court.

SO ORDERED.

Dated: April 28, 2022
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge